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December 13, 2021

VIA ECF

Judge Pamela K. Chen
225 Cadman Plaza East
Courtroom: 4F
Brooklyn, New York 11201

Brian Fischler, *Individually and on behalf of all other persons similarly situated* vs. Upstep, LLC
Case No. 1:21-cv-04850-PKC-CLP

Dear Judge Chen:

We represent Defendant Upstep, LLC in the above-referenced action and write pursuant to Your Honor's Individual Practices and Rules 1(G) to respectfully request an additional 30 days to respond to the Complaint, *i.e.* by January 12, 2022. The deadline to respond is currently December 13, 2021. Lewis & Lin LLC has only been retained today by the defendant and needs more time to review the pleadings.

On November 8, 2021, counsel for Plaintiff Brian Fischler, before the defendant appeared in this matter, requested an extension of time for the defendant to respond to the Complaint, which was granted on November 12, 2021. (ECF Doc. No. 8). Currently there is an initial conference set before Magistrate Judge Cheryl L. Pollak on January 21, 2022 (ECF Doc. No. 9). The parties request that this conference be adjourned until February 22, 2022.

Plaintiff Fischler's counsel consents to this request. We thank the Court for its attention to this matter.

LEWIS & LIN LLC

Respectfully submitted,

LEWIS & LIN LLC

/s/ Brett E. Lewis
BRETT E. LEWIS

cc: Counsel of Record (via ECF)